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8 Attorney for Plaintiffs  
9 Ginger Melillo and Abigail Usher

10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**  
12 **SAN JOSE DIVISION**

13 Ginger Melillo et al.,

14 Plaintiff,

15 v.

16 Erica L. Brachfeld et al.,

17 Defendants

) Case No.: 09-cv-05823-JW

) **STIPULATION FOR FILING OF**  
) **FIRST AMENDED COMPLAINT**  
) **AND [PROPOSED] ORDER**  
) **THEREON**

) The Hon. James Ware

1 IT IS HEREBY STIPULATED by and between the parties hereto through  
2 their respective attorneys of record that, in keeping with Federal Rule of Civil  
3 Procedure 15(a)(2), Plaintiffs may file a First Amended Complaint, a copy of which  
4 is submitted for such filing in connection herewith.

5 IT IS FURTHER STIPULATED that defendants waive notice and service of  
6 the First Amended Complaint and shall not be required to file an answer thereto,  
7 insofar as all denials, responses and affirmative defenses contained in the answer  
8 filed by defendants in response to the original complaint, shall be responsive to the  
9 First Amended Complaint.

10  
11 DATED: 6/11/2010

Law Office of Ian Chowdhury

12 /s/ Ian Chowdhury

13 Ian D. Chowdhury

14 Attorney for Plaintiffs

Ginger Melillo and Abigail Usher

15 DATED: 6/11/2010

LEWIS BRISBOIS BISGAARD & SMITH LLP

16 /s/ Larissa G. Nefulda

17 Stephen H. Turner, Esq.

18 Larissa G. Nefulda, Esq.

19 Attorneys for Defendants

Erica L. Brachfeld and

20 The Brachfeld Law Group, P.C.

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 DATED: June 21, 2010

Plaintiffs shall file their First Amended Complaint as a separate  
docket entry by June 25, 2010.

23 James Ware  
24 Hon. James Ware